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MAY 21 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial #: 09/444,739
Applicant: Michael G. Mikurak
Filed: November 22, 1999
Title: TECHNOLOGY SHARING DURING DEMAND AND SUPPLY PLANNING IN A
NETWORK-BASED SUPPLY CHAIN ENVIRONMENT

TC/AU: 3623
Examiner: M. Irshadullah
Docket #: 060021-335501

CERTIFICATE OF TRANSMISSION
I hereby certify under 37 CFR 1.8 that this
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Janet Byrne

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE

In response to the final Office Action mailed February 26, 2004 (hereinafter "Office Action"), Applicant filed an Amendment and Response, dated April 26, 2004, arguing that the Examiner, contrary to established case law, failed to consider a limitation presented in the preamble in determining whether the prior art cited by the Examiner rendered Applicant's claimed invention obvious under 35 U.S.C. § 103(a). Applicant now submits this Supplemental Response specifically regarding the relevance of *Dugan* et al., U.S. Patent No. 6,363,411 B1 (hereinafter "*Dugan*"), and Applicant asserts that *Dugan* is irrelevant because

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Applicant's invention was conceived prior to the effective date of *Dugan*, as attested to in the attached declaration. Please find the following sections:

please find the following sections:

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